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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
9 STATE OF CALIFORNIA  
10

11 In the Matter of	)	FPPC No. 10/1090
	)	
12 NEIGHBORS OPPOSING TEBBS, EASON &	)	
13 HANEY FOR FIRE BOARD 2010, and	)	STIPULATION, DECISION and
THOMAS J. FRANCL, TREASURER,	)	ORDER
	)	
14 Respondents.	)	
	)	
	)	

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17 Complainant, Roman G. Porter, Executive Director of the Fair Political Practices Commission,  
18 and Respondents Neighbors Opposing Tebbs, Eason & Haney for Fire Board 2010, and Thomas J.  
19 Francl, hereby agree that this Stipulation will be submitted for consideration by the Fair Political  
20 Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this  
22 matter, and to reach a final disposition without the necessity of holding an administrative hearing to  
23 determine the liability of Respondents.

24 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural  
25 rights set forth in Sections 83115.5, 11503, and 11523 of the Government Code, and in Sections 18361.1  
26 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to,  
27 the right to personally appear at any administrative hearing held in this matter, to be represented by an  
28 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge  
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondents Neighbors Opposing Tebbs, Eason & Haney  
4 for Fire Board 2010, and Thomas J. Franci, violated the Political Reform Act by expending campaign  
5 funds for telephone calls that were similar in nature and aggregated 500 or more in number, without  
6 disclosing the name of the organization that authorized or paid for the calls to the recipients of the calls,  
7 in violation of Government Code Section 84310, subdivision (a) (Count 1). Exhibit 1 is attached hereto  
8 and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary  
9 of the facts in this matter.

10 Respondents agree to the issuance of the Decision and Order, which is attached hereto.  
11 Respondents also agree to the Commission imposing upon it an administrative penalty in the amount of  
12 One Thousand Five Hundred Dollars (\$1,500). A cashier's check from Respondents in said amount,  
13 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full  
14 payment of the administrative penalty, to be held by the State of California until the Commission issues  
15 its decision and order regarding this matter. The parties agree that in the event the Commission refuses  
16 to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the  
17 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in  
18 connection with this Stipulation shall be reimbursed to Respondents.

19 Respondents further stipulate and agree that in the event the Commission rejects the Stipulation,  
20 and a full evidentiary hearing before the Commission becomes necessary, neither any member of the  
21 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this  
22 Stipulation.

23 Dated: \_\_\_\_\_

\_\_\_\_\_  
Roman G. Porter  
Executive Director, Fair Political Practices Commission

26  
27 Dated: \_\_\_\_\_

\_\_\_\_\_  
Thomas J. Franci, Treasurer, individually and on behalf of  
Neighbors Opposing Tebbs, Eason & Haney for Fire Board  
2010, Respondents

1 **DECISION AND ORDER**

2 The foregoing Stipulation of the parties “In the Matter of Neighbors Opposing Tebbs, Eason &  
3 Haney for Fire Board 2010, and Thomas J. Franci, Treasurer”, FPPC No. 10/1090, including all attached  
4 exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission,  
5 effective upon execution below by the Chair.

6  
7 IT IS SO ORDERED.

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10 Dated: \_\_\_\_\_

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11 Ann Ravel, Chair  
12 Fair Political Practices Commission  
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